

EXHIBIT E



FIRM RESUME

The attorneys at Migliaccio & Rathod LLP (“M&R”) have decades of experience in complex civil litigation and have successfully prosecuted a number of noteworthy consumer protection, environmental contamination, civil rights, privacy, wage theft, and other public interest cases. The firm’s attorneys, located principally in Washington D.C., focus primarily on class or collective actions and take all of their cases on a contingent basis. The attorneys at the firm have litigated cases leading to recoveries of hundreds of millions of dollars in recoveries for consumers, workers, and other victims of corporate misconduct. M&R has a track record of investing the time, energy, and resources necessary to develop cases which implicate significant economic, societal, and health concerns.

NOTABLE MATTERS AND SUCCESSES

- *In re: Philips Recalled CPAP, Bi-Level Pap, and Mechanical Ventilator Products Litigation*, MDL No. 3014 (W.D. Pa.). Represent plaintiffs in MDL. M&R attorney one of 12 appointed to Plaintiff Steering Committee and co-chairs the Science and Experts Committee as well as chairs the Class Action and Experts Subcommittee. The class action track settled for a \$479 million common fund (final approval granted), the medical monitoring track settled for \$25 million (approval pending), and personal injury claims settled for over \$1 billion.
- *In Re: Kia Hyundai Vehicle Theft Litigation*, No. 8:22-ml-03052-JVS-KES (C.D. Cal.). Represent plaintiffs in MDL concerning a security vulnerability in millions of vehicles manufactured by Hyundai and Kia that made them susceptible to theft. A non-reversionary common fund settlement totaling \$80-\$145 million is pending final approval and the litigation resulted in a software update being provided to class members to address the underlying security vulnerability.
- *Valsartan N-Nitrosodimethylamine (NDMA) Products Liability Litigation*, MDL Case No: 1:19-md-02875-RBK-JS (D.N.J.). Represent plaintiffs in multi-district litigation arising from worldwide recalls of generic Valsartan that had been found to be contaminated with probable human carcinogens. M&R was appointed to the Plaintiffs’ Steering Committee and serves as co-chair of the medical monitoring committee. The court granted class certification for medical monitoring for several states and appointed M&R attorney as one of two class counsel.
- *Young v. Nationwide Mut. Ins. Co.*, 693 F.3d 532, 535 (6th Cir. 2012). Represented classes of insureds against several major insurance companies for the failure to use technological advances in verifying the addresses of insureds, leading to overcharges. The Sixth Circuit opinion was foundational for a relaxed standard for ascertainability in that circuit. Litigation culminated in several multi-million dollar settlements.
- *Morel Then v. Great Arrow Builders LLC, Inc.*, Case No. 2:20-cv-00800 (W.D.P.A.). Represented current and former Hourly Craft Union Workers of Great Arrow Builders who alleged they were not paid the correct overtime rate because of the employer’s failure to



incorporate a guaranteed site allowance into the regular rate of pay used for the overtime calculation. The lawsuit resulted in a class and collective action settlement totaling \$2,7250,000.

- *Camara, et al. v. Mastro's Restaurants LLC*, Case No. 1:18-cv-00724 (D.D.C.). Represented a nationwide collective of servers at a high-end restaurant chain alleging that their employer was illegally requiring them to pool tips with non-tipped workers. The lawsuit settled for hundreds of thousands of dollars and provided damages close to 100 percent of the amount taken from servers as part of the employer's "tip credit."
- *Snodgrass v. Bob Evans*, Case No. 2:12-cv-768 (S.D. Ohio). Represented Bob Evans' Assistant Managers in a case alleging that Bob Evans, a restaurant chain with hundreds of locations predominantly in the Midwest, had misclassified its Assistant Managers as exempt from federal and state overtime laws. After a landmark ruling on the application of the so-called "fluctuating workweek" method of payment, the lawsuit settled for \$16.5 million. The gross recovery per class member was approximately \$6,380. In issuing its order approving the settlement, the court took special note of the "competence of class counsel in prosecuting this complex litigation."
- *Walkinshaw et al. v. CommonSpirit Health*, Case No. 4:19-cv-3012 (D. Neb). Represented class and collective of thousands of nurses in Iowa and Nebraska who alleged they were owed unpaid wages for time spent working remotely while "on-call." The settlement provided substantial monetary relief.
- *Corbin v. CFRA, LLC*, Case No. 1:15-cv-00405 (M.D.N.C.). Represented 1,520 servers in collective action against major IHOP franchise for wage theft violations, culminating in \$1.725 million settlement.
- *Craig v. Rite Aid*, Case No. 4:08-CV-2317 (M.D. Pa.). Represented Rite Aid Assistant Managers in a case alleging that Rite Aid had misclassified its Assistant Managers as exempt from federal and state overtime laws. Plaintiffs alleged that their primary duties involved manual labor such as loading and unloading boxes, stocking shelves, cashiering and other duties which are not exempt under federal and state overtime laws. After extensive litigation, the case settled for \$20.9 million, covering over 1,900 current and former assistant store managers. In issuing its order approving the settlement, the court stated that the settlement "represents an excellent and optimal settlement award for the Class Members" resulting from "diligent, exhaustive, and well-informed negotiations."
- *Peppler, et al. v. Postmates, Inc.*, Case No. 2015 CA 006560 (D.C. Sup. Ct.) and *Singer, et al. v. Postmates, Inc.*, 4:15-cv-01284-JSW (N.D. Cal.). Represented plaintiffs in a wage theft class action against application-based courier startup company, alleging that the couriers were misclassified as independent contractors. M&R was named class counsel in the settlement agreement providing for \$8.75 million in relief to a nationwide class.



- *Bland v. Calfrac Well Services*, Case No. 2:12-cv-01407 (W.D. Pa.). Represented oil field workers in a nationwide collective and class action lawsuit against Defendant Calfrac Well Services for its alleged failure to properly pay overtime to its field operators. After extensive litigation, the case settled for \$6 million, which provided a gross recovery per class member of between \$250 and approximately \$11,500.
- *Nelson v. Sabre Companies LLC*, Case No. 1:15-cv-0314 (N.D.N.Y.). M&R was lead counsel in this nationwide collective action that settled for \$2.1 million on behalf of oil and gas workers for unpaid overtime.
- *Stillman v. Staples*, Case No. 07-849 (D.N.J.). Represented Staples Assistant Managers in Fair Labor Standards Act claims for unpaid overtime. Served as a member of the trial team where the plaintiffs won a nearly \$2.5 million verdict against Staples for unpaid overtime on behalf of 342 sales managers after a six-week jury trial. After the verdict, nearly a dozen wage and hour cases against Staples from across the country were consolidated in a multi-district litigation. Served in a central role in the consolidated litigation, which lasted nearly two years after the *Stillman* verdict. The consolidated litigation ultimately settled for \$42 million.
- *Fischer et al v. Kmart Corp. et al.*, Case No. 3:13-cv-04116 (D.N.J.). Represented Kmart assistant managers for Fair Labor Standards Act and parallel state law claims in nationwide litigation and arbitrations, culminating in \$3.8 million settlement.
- *Limbaugh, et al. v. Norwood Clinic, Inc.*, No. 01-cv-2022900085 (Ala. Cir. Ct.). M&R was appointed settlement class counsel in settlement for nationwide class of patients whose private information was exposed. Relief included a \$2.3 million non-reversionary common fund.
- *In re Wright & Filippis, LLC Data Security Breach Litigation*, Case No. 2:22-cv-12908-SFC-EAS (E.D. Mich.). M&R was appointed settlement class counsel in settlement for nationwide class of consumers whose private information was exposed. Relief includes a \$2.9 million non-reversionary common fund.
- *Carmack v. Snap-On Inc.*, 2:22-cv-695 (E.D. Wis.). M&R was appointed sole settlement class counsel in settlement for nationwide class of employees whose information was compromised in a data breach. The settlement provided for reimbursement of certain categories of losses as well as enhancement of cybersecurity practices.
- *McHenry v. Advent Health Partners, Inc.*, 3:22-cv-00287 (M.D. Tenn.). M&R was settlement class counsel in settlement for nationwide class of patients whose private information was exposed in a cyberattack. The settlement provided for reimbursement of certain categories of losses as well as enhancement of cybersecurity practices.
- *Hoover et al. v. Camping World Group, LLC et al.*, Civil Action No. 2023LA000372 (Il. Cir. Ct.). M&R was appointed settlement class counsel in settlement for nationwide class of consumers whose private information was exposed. Relief includes a \$650,000 non-



reversionary common fund.

- *Bickham v. Reprosource Fertility Diagnostics, Inc.*, No. 1:21-CV-11879-GAO (D. Mass.). M&R was appointed settlement class counsel in settlement for nationwide class of patients whose private information was exposed. Relief includes a \$1.25 million non-reversionary common fund.
- *Williams v. Monarch*, No. 2023-CVS-105 (N.C. Bus. Ct.). M&R was appointed settlement class counsel in settlement for nationwide class of patients whose private information was exposed. Relief includes a \$1.1 million non-reversionary common fund.
- *Matthews v. TCL Communications et al.*, Case No. 3:17-cv-95 (W.D.N.C.). Represented plaintiffs in a class action brought on behalf of purchasers of Alcatel OneTouch Idol 3 smartphones who alleged that a firmware update removed Band 12 LTE functionality from their phones, greatly reducing their functionality. Served as Court-appointed class counsel in a class action settlement which provided class members with either the reinstatement of Band 12 LTE functionality on their phones, or new phones with LTE Band 12 functionality.
- *In re: JUUL Labs, Inc. Products Litigation*, Case No. 3:18-cv-02499 (N.D. Cal.) M&R was appointed as co-lead interim class counsel prior to formation of an MDL in action brought on behalf of a nationwide class arising from marketing and sale of electronic cigarettes by JUUL, the world's largest e-cigarette manufacturer.
- *Brown et al. v. Hyundai Motor America, et ano.*, Case. No. 2:18-cv-11249 (D.N.J.) M&R was appointed co-lead class counsel in an action brought arising from Hyundai's alleged manufacture, design, marketing and sale of vehicles with a piston-slap defect. The case settled on a class-action basis, and class members were provided with an extended warranty, and reimbursement of expenses.
- *Wheeler et al. v. Lenovo (United States) Inc.*, Case No. 13-0007150 (D.C. Sup. Ct.) and *Kacsuta v. Lenovo (United States), Inc.*, Case No. 13-00316 (C.D. Cal.). Represented plaintiffs in a class action brought on behalf of purchasers of Lenovo laptops that suffered from Wi-Fi connectivity problems. Served among the Court-appointed class counsel in a nationwide settlement where Lenovo agreed to refund \$100 cash or issue a \$250 voucher (which required no purchase to use) to owners of the laptops.
- *Adeli v. Silverstar Automotive, Inc.*, Case No. 5:17-cv-05224 (W.D. Ark.). M&R was co-lead trial counsel in this individual consumer fraud suit for economic losses that resulted in a trial verdict of over \$5.8 million, the vast majority of which was in punitive damages (judgment later reduced to \$533,622, inclusive of a reduced but sizable punitive damages amount, which was affirmed by the Eighth Circuit Court of Appeals).
- *Fath et al. v. Honda North America, Inc.*, Case No. 0:18-cv-01549 (D. Minn.). M&R served on the Plaintiff Steering Committee in this nationwide action arising from Honda's alleged



manufacture, design, marketing and sale of vehicles with a fuel dilution defect. The case settled on a class-action basis, and class members were provided with an extended warranty, reimbursement of expenses, and a product update where applicable.

- *Hill v. County of Montgomery et al.*, Case No.: 9:14-cv-00933 (N.D.N.Y.). M&R serves as co-lead counsel in this conditions of confinement civil rights class action for the alleged provision of insufficient sustenance in the Montgomery County Jail in upstate New York. After years of litigation, the case settled on a class action basis for \$1,000,000, providing significant relief to the class of inmates and detainees. The Court has granted preliminary approval of the settlement and final approval is still pending.
- *Weisenberger v. Ameritas Mutual Holding Co.*, No. 4:21-cv-03156 (D. Neb.). M&R was appointed sole settlement class counsel in settlement for nationwide class of insureds whose private information was exposed. The settlement provided for reimbursement of certain categories of losses, extended credit monitoring, and enhancement of cybersecurity practices.
- *Beture v. Samsung Electronics America*, Case No. 17-cv-05757 (D.N.J.). M&R was appointed as co-lead interim class counsel in action brought on behalf of a nationwide class arising from a hardware defect affecting hundreds of thousands of Samsung Galaxy Note 4 smartphones.
- *McFadden et al. v. Microsoft Corporation*, Case No. 2:20-cv-00640 (W.D. Wash.) M&R was appointed as co-lead interim class counsel in an action brought on behalf of a nationwide class arising from a hardware defect affecting Microsoft X-Box video game controllers.
- *Walsh et al. v. Globalstar, Inc.*, Case No. 3:07-cv-01941 (N.D. Cal.), represented Globalstar satellite telephone service customers who brought claims that Globalstar knew that it was experiencing failures in its satellite constellation and its satellite service was rapidly deteriorating and was no longer useful for its intended purpose, yet failed to disclose this information to its potential and existing customers. Served as Court-appointed class counsel in a nationwide settlement that provided an assortment of benefit options, including, but not limited to, monetary account credits, free minutes, or cash back for returned equipment.
- *Delandro v. County of Allegheny*, Case No. 06-927 (W.D. Pa.). Represented pre-trial detainees who were subjected to unlawful strip searches prior to their admission at Allegheny County Jail, located in Pittsburgh, PA. After winning class certification, partial summary judgment on liability, and an injunction, the case settled for \$3 million.
- *Nnadili v. Chevron*, Case No. 02-1620 (D.D.C.). Represented owners and residents of properties in the District of Columbia that were contaminated with gasoline constituents from leaking underground storage tanks that were installed by Chevron. The plaintiffs, who resided in over 200 properties in the Riggs Park neighborhood of Northeast Washington, D.C., alleged that Chevron's contamination interfered with the use and enjoyment of their property, impacted their property values, constituted a trespass on their land, and caused fear and emotional distress. The United States Environmental Protection Agency conducted an extensive



investigation into the contamination. After approximately five years of litigation, the case settled for \$6.2 million.

- *Ousmane v. City of New York*, Case No. 402648/04 (NY Sup. Ct.). Represented New York City street vendors in a pro bono class action suit against the City of New York for excessive fines and helped secure a settlement with a value of over \$1 million.
- *In re National Security Agency Telecommunications Records Litigation*, Case No. 3:06-md-01791 (N.D. Cal.). Represented Sprint subscribers in privacy suit against telecom companies to enjoin the alleged disclosure to the National Security Agency of telephone calling records. Appointed, with co-counsel, interim lead counsel for the Sprint subscriber class in the MDL proceedings. The litigation was ultimately dismissed after Congress granted retroactive immunity to the telecom companies.



ATTORNEYS

Nicholas A. Migliaccio

Nicholas Migliaccio has been practicing for over 20 years and litigates across the firm's practice areas. He has successfully prosecuted numerous noteworthy class and mass action cases over the course of his career, and has been appointed class counsel in both litigation and settlement classes. He has been recognized by his peers as a Superlawyer in 2016 - 2024.

Mr. Migliaccio graduated from the State University of New York at Binghamton in 1997 (B.A., *cum laude* in Environmental Studies and Philosophy) and received his law degree from Georgetown University Law Center in 2001, where he was an Editor of the Georgetown International Environmental Law Review.

Notable Cases Include:

- Represented assistant managers in a Fair Labor Standards Act misclassification case and served as a member of the trial team for a six-week jury trial that resulted in a \$2.5 plaintiffs' verdict. After the verdict, nearly a dozen wage and hour cases against the defendant from across the country were consolidated in a multi-district litigation. Served in a central role in the consolidated litigation, which ultimately settled for \$42 million.
- Represented worker class in wage theft assistant manager misclassification case against national restaurant chain that culminated in a \$16.5 million settlement
- Represented worker class in wage theft rate miscalculation case against multinational fracking company, resulting in \$6 million settlement
- Represented plaintiffs in a consumer class in defective laptop case against multinational computer manufacturer, resulting in a nationwide settlement where defendant agreed to refund \$100 cash or issue a \$250 voucher (which required no purchase to use) to owners of the laptops.
- Represented pre-trial detainees who were subjected to unlawful strip searches prior to their admission at Allegheny County Jail, located in Pittsburgh, PA. After winning class certification, partial summary judgment on liability, and an injunction, the case settled for \$3 million.
- Represented owners and residents of properties in the District of Columbia that were contaminated with gasoline constituents from leaking underground storage tanks that were installed by a major oil company. The plaintiffs alleged that the contamination interfered with the use and enjoyment of their property, impacted their property values, constituted a trespass on their land, and caused fear and emotional distress. After extensive litigation, the case settled for \$6.2 million.
- Representing consumers and patients in several data privacy class action settlements, including in *In re Wright & Filippis, LLC Data Security Breach Litigation*, Case No. 2:22-cv-12908-SFC-EAS (E.D. Mich.) (M&R settlement class counsel); *Limbaugh, et al. v. Norwood Clinic, Inc.*, No. 01-cv-2022900085 (Ala. Cir. Ct.) (M&R settlement class counsel); *McHenry v. Advent Health Partners, Inc.*, No. 3:22-cv-00287 (M.D. Tenn.)



(M&R settlement class counsel); *Hoover et al. v. Camping World Group, LLC et al.*, Civil Action No. 2023LA000372 (Il. Cir. Ct.) (M&R settlement class counsel); *Owens, et al. v. US Radiology Specialists, Inc., et al.*, No. 22-cvs-17797 (N.C. Super. Ct.) (M&R settlement class counsel); *Carmack v. Snap-On, Inc.*, No. 2:22-cv-00695-WED (W.D. Wisc.) (M&R settlement class counsel); *Stark, et al. v. Acuity Brands, Inc.*, No. 23-EV-006179H (Ga. Fulton Co.) (M&R settlement class counsel); *Bickham v. Reprosourc Fertility Diagnostics, Inc.*, No. 1:21-CV-11879-GAO (D. Mass.) (M&R settlement class counsel); *Weisenberger v. Ameritas Mutual Holding Co.*, No. 4:21-cv-03156 (D. Neb.) (M&R settlement class counsel, final approval pending); *Salinas et al. v Block, Inc. et al.*, No. 3:22-cv-04823 (N.D. Cal.) (M&R settlement class counsel, final approval pending).

- Represented New York City street vendors in a pro bono class action suit against the City of New York for excessive fines and helped secure a settlement with a value of over \$1 million.
- Appointed to leadership in recent major data breach cases involving hospitals and health records, including in *In re Netgain Technology, LLC, Consumer Data Breach Litigation*, No. 0:21-cv-01210 (D. Minn.) and in *In re Eskenazi Health Data Incident Litigation*, No. 49D01-2111-PL-038870 (Ind. Sup. Ct.)

Admissions:

- New York
- Washington, D.C.
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Sixth Circuit
- United States District Court for the District of Colorado
- United States District Court for the District of Columbia
- United States District Court for the District of Maryland
- United States District Court for the Eastern District of Michigan
- United States District Court for the Eastern District of New York
- United States District Court for the Northern District of New York
- United States District Court for the Southern District of New York
- United States District Court for the Western District of New York
- United States District Court for the Western District of Pennsylvania

Education:

- Georgetown University Law Center, J.D., 2001
- State University of New York at Binghamton, BA, 1997

Publications and Speaking Engagements:



- Co-authored “Environmental Contamination Treatise: Overview of the Litigation Process,” in R. Simons, Ph.D, When Bad Things Happen to Good Property (Environmental Law Institute, 2005).
- Presentation on *The Motor Carrier Act Exception to the FLSA’s Overtime Provisions - 13(b)(1) and the SAFETEA-LU Amendments*, Worker’s Injury Litigation Group / Ohio Association of Justice Meeting, Winter 2014.
- Presentation on *Litigating Fair Labor Standards Act Collective Action Cases*, Worker’s Injury Litigation Group / Ohio Association of Justice Convention, Fall 2011.

Awards:

- SuperLawyers, 2016, 2017, 2018, 2019, 2020, and 2021



Jason S. Rathod

Jason S. Rathod is a founding partner of Migliaccio & Rathod LLP and an accomplished plaintiff-side class action lawyer, particularly in the areas of consumer protection, defective products, and data privacy. Mr. Rathod has been appointed to leadership teams in some of the most high-profile cases in the country. In *In Re: Philips Recalled CPAP, Bi-Level Pap, and Mechanical Ventilator Products Litigation*, he was among a small group of lawyers appointed to the Plaintiffs' Steering Committee and served as the co-chair of the Science and Experts Committee. The case resulted in class action settlements for economic loss (settlement approved) and medical monitoring (approval pending), as well as personal injury claims totaling approximately \$1.7 billion. He was also appointed to serve on a three-person experts committee in the *In Re: Kia Hyundai Vehicle Theft* MDL in which a classwide settlement valued at approximately \$200 million has been reached (final approval pending). Mr. Rathod has been quoted in the national press, including in *The Wall Street Journal* and *Washington Post*. In addition to his consumer protection work, Mr. Rathod also prosecutes wage theft, civil rights, and environmental protection cases.

Mr. Rathod has been recognized as a leader in his field beyond the courtroom. He is the author of several published works, including a law review article on aggregate litigation in poor countries. Another recent law review article that he co-authored, comparing public and private enforcement in the United State and Europe, was cited by the Consumer Financial Protection Bureau in its proposed rule prohibiting class action waivers in the fine print of consumer contracts.

Mr. Rathod graduated from Grinnell College in 2006 (B.A. with honors in Political Science and Religious Studies). After college, he traveled to Fiji, Mauritius, South Africa, Trinidad & Tobago, Guyana, and Suriname on a Watson Fellowship, studying the Indian Diaspora. He graduated law school from the Duke University School of Law in 2010, where he was an Articles Editor of the *Duke Law Journal*. In law school, he also worked for one of the largest labor unions in India - the Self-Employed Women's Association - in public interest litigation on behalf of street vendors seeking an injunction against the city of Ahmedabad for unlawful harassment and evictions.

Notable Cases Include:

- Representing consumers as a member of the court-appointed Plaintiff Steering Committee and serving as the co-chair of the Science and Experts Committee in multidistrict litigation concerning a Fortune 500 corporation's use of a dangerous foam in millions of medical devices, which resulted in settlements for consumers totaling approximately \$1.7 billion (final approval pending on medical monitoring component);
- Representing consumers as a member of the court-appointed Experts Committee in multidistrict litigation concerning the failure to install engine immobilizers in vehicles, resulting in grave risk of vehicle theft. Class settlement has been reached and valued at \$200 million (final approval pending);



- Representing consumer classes in insurance overcharge cases, including by drafting appellate briefs about the propriety of class certification. The Sixth Circuit Court of Appeals affirmed order for the classes 3-0, leading to several multi-million-dollar settlements;
- Representing consumer in consumer fraud trial for economic losses that resulted in verdict for the Plaintiff on all counts and a multimillion dollar punitive damages award (later reduced on remittitur, but still totaling in the hundreds of thousands of dollars and representing a 25:1 ratio of punitive to economic damages);
- Representing consumers and patients in several data privacy class action settlements, including in *In re Wright & Filippis, LLC Data Security Breach Litigation*, Case No. 2:22-cv-12908-SFC-EAS (E.D. Mich.) (M&R settlement class counsel); *Limbaugh, et al. v. Norwood Clinic, Inc.*, No. 01-cv-2022900085 (Ala. Cir. Ct.) (M&R settlement class counsel); *McHenry v. Advent Health Partners, Inc.*, No. 3:22-cv-00287 (M.D. Tenn.) (M&R settlement class counsel); *Hoover et al. v. Camping World Group, LLC et al.*, Civil Action No. 2023LA000372 (Il. Cir. Ct.) (M&R settlement class counsel); *Carmack v. Snap-On, Inc.*, No. 2:22-cv-00695-WED (W.D. Wisc.) (M&R settlement class counsel); *Stark, et al. v. Acuity Brands, Inc.*, No. 23-EV-006179H (Ga. Fulton Co.) (M&R settlement class counsel); *Bickham v. Reprosorce Fertility Diagnostics, Inc.*, No. 1:21-CV-11879-GAO (D. Mass.) (M&R settlement class counsel); *Williams v. Monarch*, No. 2023-CVS-105 (N.C. Bus. Ct.) (M&R settlement class counsel);
- Representing consumer class of laptop purchasers against multinational corporation in nationwide class action settlement valued at over \$16 million;
- Representing consumer class of vehicle purchasers and lessees in nationwide class action settlement, following allegations of engine defect;
- Representing consumer class of vehicle purchasers and lessees in nationwide class action settlement, alleging oil dilution defect;
- Representing consumer classes in two cases in D.C. Superior Court arising from the alleged unlawful repossession of vehicles, resulting in classwide settlements with significant pro rata payments and injunctive relief, including debt relief;
- Representing consumer class at trial in product defect class action;
- Representing worker class in wage theft assistant manager misclassification case against national restaurant chain that culminated in a \$16.5 million settlement;
- Representing worker class and collective against multinational startup company for independent contractor misclassification claims, resulting in \$8.75 million settlement;
- Representing worker class in wage theft rate miscalculation case against multinational fracking company, resulting in \$6 million settlement;
- Representing over 1,500 servers in multistate collective action, resulting in \$1.72 million settlement;
- Representing consumer class in defective laptop case against multinational computer manufacturer; and
- Representing consumer class in defective construction case against multinational home builder, drafting key briefs leading to class certification and maintenance of suit in court, rather than arbitration.



- Receiving appointments to leadership in recent major data breach, including in *Doherty, et al. v. Francesca's Acquisition, LLC*, No. 4:23-cv-03881 (S.D. Tex.); *In re Practice Resources, LLC Data Sec. Breach Litig.*, No. 22-CV-0890 (N.D.N.Y.); *Peterson, et al. v. Vivendi Ticketing US LLC*, No. 2:23-cv-7498 (C.D. Cal.); and in *In re Eskenazi Health Data Incident Litigation*, No. 49D01-2111-PL-038870 (Ind. Sup. Ct.)

Education:

- Duke University School of Law, J.D. 2010
- Grinnell College, B.A., 2006

Admissions:

- Illinois
- Washington, D.C.
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Eighth Circuit
- United States District Court for the District of Columbia
- United States District Court for the District of Maryland
- United States District Court for the District of Nebraska
- United States District Court for the Northern District of Illinois
- United States District Court for the Western District of Pennsylvania
- United States District Court for the District of Colorado
- United States District Court for the Eastern District of Michigan
- United States District Court for the Western District of Michigan

Publications and Speaking Engagements:

- *Arbitration Tactics and Strategy* (July 2020) (CLE presentation), American Association for Justice ("AAJ")
- *Fighting for Food Policy Progress Across Legal Arenas* (panelist), Food Systems Virtual Summit with CUNY Urban Food Policy Institute (April 2020)
- *Human Capital and Fragmentation* (Nov. 15, 2019) (panelist), ClassCrits Conference
- *Plaintiffs, Procedure & Power* (Nov. 3, 2018) (panelist), ClassCrits Conference
- *DNA Barcoding analysis of seafood accuracy in Washington, D.C. restaurants*, PeerJ (April 25, 2017) (co-authored)
- *The Arc and Architecture of Private Enforcement Regimes in the United States and Europe: A View Across the Atlantic*, 14 U.N.H. L. Rev. 303 (2016) (co-authored)
- *Trying the Class Action: Practical Tips from the Pros* (AAJ) (June 4, 2015) (panelist)



- *Emerging Markets, Vanishing Accountability: How Populations in Poor Countries Can Use Aggregate Litigation to Vindicate Their Rights*, 24 Transnat'l L. & Contemp. Probs. 69 (2014)
- *Note: Not Peace, But a Sword: Navy v. Egan and the Case Against Judicial Abdication in Foreign Affairs*, 59 Duke L.J. 595 (2009)

Awards

- SuperLawyers Rising Stars, 2017, 2018, 2019, 2020, 2021, 2022, and 2023
- SuperLawyers 2024



Randy Chen

Randy Chen is an experienced litigator who prosecutes cases across M&R's areas of practice, including wage theft, consumer protection, and data privacy. Prior to joining M&R, Randy served as the Assistant Chief of the D.C. Office of the Attorney General's Workers' Rights & Antifraud Section. At DCOAG, Randy played a founding role in starting up the office's wage theft enforcement practice—and during his tenure, successfully led the section to recover over \$20M for workers and the District through its enforcement work.

Randy is a graduate of Harvard Law School and Duke University. Before law school, Randy was a public school teacher in Prince George's County, MD.

Education:

- Harvard Law School | J.D., *cum laude* (2014)
- Duke University | B.S., *cum laude* (2008)

Admissions:

- New York State Bar
- District of Columbia Bar



Saran Q. Edwards

Saran Q. Edwards primarily focuses on data privacy cases at M&R, but she also assists in other practice areas. Joining the firm in January 2024, Mrs. Edwards brings with her a diverse legal background and over a decade of civil litigation experience.

Mrs. Edwards graduated *magna cum laude* with a B.A. in Psychology from Temple University in 2005. She went on to earn her juris doctorate from The University of Arizona, James E. Rogers College of Law in 2011. During her time in law school, she honed her legal skills serving as a judicial extern for the Hon. Raner C. Collins in the U.S District Court, District of Arizona, and as a student attorney with the City of Tucson's Prosecutor's Office.

Prior to joining M&R, Mrs. Edwards focused on parent-side special education matters in New Jersey, advocating for children with disabilities in public schools. Additionally, she participated in a pending class action lawsuit against the New Jersey Department of Education, pertaining to alleged violations of the Individuals with Disabilities in Education Act ("IDEA"). Mrs. Edwards also litigated open public records act ("OPRA") cases, and prosecuted discrimination claims in federal and state courts.

Mrs. Edwards began her legal career in Texas, where she concentrated on civil rights litigation, including wrongful death and conditions of confinement cases (regarding pre-trial detainees). It is here where she recognized the importance of ensuring equal access to the civil justice system and dedicated her professional career to advocating for plaintiffs across various facets of the law.

Fancying herself an amateur writer, Mrs. Edwards has also written various blog posts, published several practice points for the America Bar Association, and drafted white papers and presentations for COPAA (Council of Parent Attorneys and Advocates) conferences.

Education:

- University of Arizona, James E. Rogers College of Law, J.D. 2011
- Temple University, B.A. 2005

Admissions:

- New Jersey



Bryan Faubus

Bryan Faubus is Senior Counsel at the firm and litigates cases across the firm's areas of practice including in consumer protection, data breach, and wage theft class actions.

Mr. Faubus received a B.A. in Urban Studies, with Honors, from the University of Texas at Austin in 2005, and a J.D., *cum laude*, from Duke University School of Law, where he was the Online Editor of the Duke Law Journal. Mr. Faubus authored *Narrowing the Bankruptcy Safe Harbor for Derivatives to Combat Systemic Risk*, 59 DUKE L.J. 801 (2010). Prior to joining Migliaccio & Rathod LLP, he practiced commercial litigation and real estate law at two large, international law firms and securities, antitrust, and consumer protection law at a California-based plaintiff's law firm.

Education:

- Duke University School of Law, J.D. 2010
- University of Texas – Austin, B.A. 2005

Admissions:

- New York



Eugenie Montague

Eugenie Montague is Of Counsel to the firm and litigates cases across the firm's areas of practice including in consumer protection, data breach, and wage theft class actions.

Education:

- Duke University School of Law, J.D. 2009
- UC Irvine, Master of Fine Arts, Fiction, 2010
- Colby College, B.A.

Admissions:

- California



Bruno Ortega-Toledo

Bruno Ortega-Toledo began as a paralegal with the firm, handling the day-to-day operations of the office, including talking to clients, drafting motions, and performing legal research. Mr. Ortega is now an attorney pending admission involved in all of the firm's practice areas, from wage & hour cases, consumer protection litigation, to data breach matters. He now contributes to the firm's motions practice by researching legal issues and drafting briefs.

Mr. Ortega-Toledo graduated magna cum laude from George Mason University in 2016 (B.A. with honors in Global Affairs with a Concentration in Global Governance). He graduated law school in 2023 from Antonin Scalia Law School's part-time evening program, where he was a Notes Editor of the National Security Law Journal.

Mr. Ortega's first experience in the legal field was as a Legal Assistant with Hogar Immigrant Services, a Virginia non-profit that offers ESOL classes, citizenship assistance, and immigration legal assistance to the local community. Providing paralegal services at Hogar's monthly citizenship workshops put Mr. Ortega in touch with the aspirations and struggles of the local Hispanic community and motivated him to further involve himself in the study of law.

Education:

- George Mason University, Antonin Scalia Law School, J.D. 2023
- George Mason University, B.A. 2016
- Northern Virginia Community College, A.A. 2014

Awards:

- Global Politics Fellow: Outstanding Fellow Award, GMU 2015
- Peter N. Stearns Award for Global Citizenship, GMU 2016

Admissions:

- District of Columbia



Mark Patronella

Mark Patronella is an Associate at the firm and litigates class actions across the firm's practice areas. He takes particular pride in helping consumers obtain fair compensation for predatory behavior on the part of large corporations.

Mr. Patronella has been recognized for his considerable commitment to pro bono practice. He dedicated well over one thousand hours to representing asylum-seekers, tenants facing eviction, and environmental initiatives.

Mr. Patronella graduated magna cum laude from Drew University in 2015 (B.A. with honors in Economics). He graduated law school from Duke University School of Law in 2018, where he was a Staff Editor of the Duke Environmental Law and Policy Forum and served as a teaching assistant for an environmental law course. Throughout law school, he provided legal services for a number of local and national environmental organizations.

Education:

- Duke University School of Law, J.D., 2018
- Drew University, B.A., 2015

Admissions:

- New Jersey
- Washington D.C.
- United States District Court for the Southern District of Texas
- United States District Court for the Eastern District of Texas
- United States District Court for the Eastern District of Michigan



Matthew Smith

Matthew (“Matt”) Smith is Senior Counsel at the firm and litigates in the firm’s consumer protection and civil rights practice areas. He joined M&R after practicing with nationally recognized plaintiffs' firms based in Washington D.C. and the San Francisco Bay Area. Previous successes include an \$18 million trial judgment on behalf of a class of retired steelworkers, as well as contributions to antitrust, civil rights, and employee benefits cases that have resulted in substantial settlements and judgments in favor of the class. After graduating *magna cum laude* from Duke Law School where he was inducted into the honor's society, he clerked for the Hon. Rosemary Barkett on the United States Court of Appeals for the Eleventh Circuit.

Education:

- Duke University School of Law, J.D., *magna cum laude*, Order of the Coif, 2011
 - LLM, International and Comparative Law
 - Notes Editor, Duke Law Journal
- UC Santa Cruz, MA, History of Consciousness
- Columbia University, BA, *cum laude*

Admissions:

- New York
- California



Zachary O. Chambers

Zachary O. Chambers is an attorney at the firm and litigates cases across the firm's areas of practice including in consumer protection, data breach, and wage theft class actions.

Education:

- Indiana University, Robert H. McKinney School of Law, J.D. 2023
- Indiana University, Kelley School of Business, B.S. 2019

Admissions:

- Indiana